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June 3, 2009

BY ECF

The Honorable Frederic Block
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Washon Montgomery v. City of New York, et al.*, 08 cv 4543 (FB)(RER)

Your Honor:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants in connection with the above-referenced case. In that capacity, I write to inform the Court that the parties have reached a settlement and accordingly defendants respectfully submit the enclosed stipulation and order of settlement and dismissal, executed by counsel for the parties, for the Court's endorsement.

I thank the Court for its time and consideration in this matter.

Respectfully submitted,

A handwritten signature in cursive script that reads "Elizabeth W. Dollin".

Elizabeth W. Dollin
Assistant Corporation Counsel
Special Federal Litigation Division

enc.

cc: Michael Ronemus, Esq. (by ECF)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
WASHON MONTGOMERY,

Plaintiff,

-against-

CITY OF NEW YORK and POLICE OFFICERS
CHRISTOPHER ALDEN, and POLICE OFFICERS JOHN
DOE # 1-3,

Defendants.
----- X

**STIPULATION OF
SETTLEMENT AND ORDER
OF DISMISSAL**

08 cv 4543 (FB)(RR)

WHEREAS, plaintiff commenced this action by filing a complaint on or about November 10, 2008, alleging that defendants violated plaintiff's federal civil and state common law rights; and

WHEREAS, defendants have denied any and all liability arising out of plaintiff's allegations; and

WHEREAS, the parties now desire to resolve the issues raised in this litigation, without further proceedings and without admitting any fault or liability;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed against defendants, with prejudice, and without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.

2. Defendant City of New York hereby agrees to pay plaintiff, Washon Montgomery, Thirty-Two Thousand Five Hundred (\$32,500.00) Dollars in full satisfaction of all claims, including claims for costs, expenses and attorneys' fees. In consideration for the payment of this sum, plaintiff agrees to dismissal of all the claims against defendants and to release the defendants

and any present or former employees and agents of the City of New York, or any agency thereof, from any and all liability, claims, or rights of action which were or could have been alleged in this action, including claims for costs, expenses and attorneys' fees.

3. Plaintiff shall execute and deliver to defendant City of New York's attorney all documents necessary to effect this settlement, including, without limitation, a General Release based on the terms of paragraph 2 above and an Affidavit of No Liens.

4. Nothing contained herein shall be deemed to be an admission by the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York, or any agency thereof.

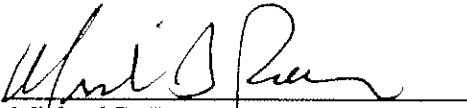
6. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant

proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
May 14 2009

MICHAEL B. RONEMUS, ESQ.
Attorney for Plaintiff
Ronemus & Vilensky
112 Madison Avenue
New York, New York 10016

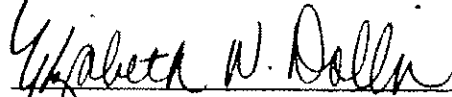
By:



Michael B. Ronemus
Attorney for Plaintiff

MICHAEL A. CARDOZO
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Attorney for Defendants
100 Church Street
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(212) 788-0542

By:



Elizabeth W. Dollin
Assistant Corporation Counsel

SO ORDERED:

FREDERIC BLOCK, U.S.D.J.